REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-25 are pending in the application. By this Amendment, claims 1, 12, and 24 have been amended.

The drawings are objected to because of unacceptable margins and not uniformly thick and well-defined lines, numbers and letters. Formal figures are submitted herewith that correct these informalities. Withdrawal of this objection is respectfully requested.

Claims 1, 2, 4-14, and 16-25 are rejected under 35 U.S.C. §102(b) by Smith, U.S. Patent No. 1,428,992. This rejection is respectfully traversed.

Claim 1 is directed to a jig for holding a container having a non-planar bottom that provides at least one retaining element, the retaining element providing a first cooperating interlocking surface. The jig includes a support portion configured to receive and vertically support the container thereon. The support portion has at least one retaining portion providing a second cooperating interlocking surface. The second cooperating interlocking surface has a shape that is complimentary to a shape of the first cooperating interlocking surface such that the second cooperating interlocking surface of the retaining portion is non-rotationally interlockable with the first cooperating interlocking surface of the retaining element of the container in a cooperating relationship so as to substantially prevent relative rotation between the jig and container.

Smith does not disclose the jig as recited in claim 1. Smith discloses a can closing machine having a support 3 that is serrated as at 7 in Figure 14. A can having a planer base is engaged with the support 3 and the serrations of the support bite into the bottom rim of the can so as to prevent the can from rotating under the action of the seam forming or crimping rollers (see, page 1, lines 91-101). In contrast, the jig recited in claim 1 is specifically designed to hold a container having a non-planer bottom. Specifically, the jig includes a support portion having at least one retaining portion that provides a second cooperating interlocking surface. The second cooperating interlocking surface of the retaining portion has a shape that is complementary to a shape of a first cooperating interlocking surface provided on a retaining element of the container. This arrangement allows the second cooperating interlocking surface of the retaining portion to be non-rotationally interlockable with the first cooperating interlocking surface of the retaining element of the container in a cooperating relationship so as to substantially prevent relative rotation between the jig and the container,

as recited in claim 1. Smith merely discloses a support having serrations that bite into a can. Smith does not disclose a support portion having a cooperating interlocking surface that is non-rotationally interlockable in a cooperating relationship with a cooperating interlocking surface provided on a retaining element of a non-planer container bottom. As a result, Smith's arrangement is significantly more prone to slippage than the construction of the present invention. Withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2 and 4-11 are allowable by virtue of their dependence on claim 1 and additionally allowable for their recitation of additional patentable subject matter.

Claim 12 is directed to a sealing apparatus for sealing a container having a non-planar bottom that provides at least one retaining element, the retaining element providing a first cooperating interlocking surface. The apparatus includes a fixture having a jig thereon and a pressing structure. At least one of the fixture and pressing structure are movable with respect to the other in the vertical direction. The jig includes a support portion configured to receive and vertically support the container thereon. The support portion has at least one retaining portion providing a second cooperating interlocking surface. The second cooperating interlocking surface has a shape that is complimentary to a shape of the first cooperating interlocking surface such that the second cooperating interlocking surface of the retaining portion is non-rotationally interlockable with the first cooperating interlocking surface of the retaining element of the container in a cooperating relationship so as to substantially prevent relative rotation between the jig and container.

As noted above with respect to claim 1, Smith does not disclose a support portion having a retaining portion providing a second cooperating interlocking surface that has a shape that is complementary to a shape of a first cooperating interlocking surface on a retaining element provided on the non-planer bottom of a container, such that the second cooperating interlocking surface of the retaining portion is non-rotationally interlockable with the first cooperating interlocking surface of the retaining element of the container in a cooperating relationship, as recited in claim 12. In contrast, Smith discloses a support having serrations that bite into a can. Withdrawal of the rejection of claim 12 is respectfully requested.

Claims 13, 14, and 16-23 are allowable by virtue of their dependence on claim 12 and additionally allowable for their recitation of additional patentable subject matter.

Claim 24 is directed to a method of manufacturing a container including: forming a container body having a non-planar bottom that provides at least one retaining element, the

retaining element providing a first cooperating interlocking surface; providing a jig having a support portion configured to support the container body thereon and having a retaining portion providing a second cooperating interlocking surface, the second cooperating interlocking surface having a shape that is complimentary to a shape of the first cooperating interlocking surface such that the second cooperating interlocking surface of the retaining portion is non-rotationally interlockable with the first cooperating interlocking surface of the retaining element of the container in a cooperating relationship; positioning the container body relative to the jig so as to non-rotationally interlock the first cooperating interlocking surface of the retaining element and the second cooperating interlocking surface of the retaining portion so as to substantially prevent relative rotation between the container and the jig; positioning a lid on an open end portion of the container body; and attaching the lid to the container body by forming a seam between a periphery of the lid and the open end portion of the container body.

As noted above with respect to claims 1 and 12, Smith does not disclose providing a jig with a support portion having a retaining portion providing a second cooperating interlocking surface that has a shape that is complementary to a shape of a first cooperating interlocking surface on a retaining element provided on the non-planer bottom of a container body, such that the second cooperating interlocking surface of the retaining portion is non-rotationally interlockable with the first cooperating interlocking surface of the retaining element of the container in a cooperating relationship, as recited in claim 24. In contrast, Smith discloses a support having serrations that bite into a can. Withdrawal of the rejection of claim 24 is respectfully requested.

Claim 25 is allowable by virtue of its dependence on claim 24 and additionally allowable for its recitation of additional patentable subject matter.

Claims 3 and 15 are rejected under 35 U.S.C. §103(a) over Smith in view of Momotome et al., JP 01249234. This rejection is respectfully traversed.

The Office Action relies on Momotome to disclose an annular side wall on the support portion. This does not make up for deficiencies noted above with respect to Smith. Accordingly, claim 3 is allowable by virtue of its dependence on claim 1 and for its recitation of additional patentable subject matter, and claim 15 is allowable by virtue of its dependence on claim 12 and for its recitation of additional patentable subject matter.

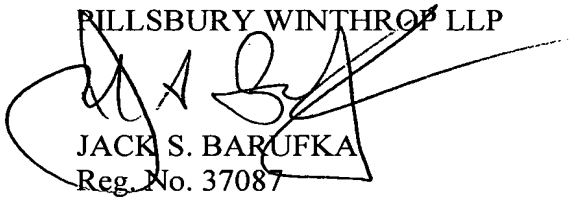
All rejections and objections have been addressed. It is respectfully submitted that the present application is now in condition for allowance, and a notice to that effect is earnestly solicited.

Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP LLP



JACK S. BARUFKA
Reg. No. 37087
Tel. No. (703) 905-2012
Fax No.

Date: March 10, 2004
P.O. Box 10500
McLean, VA 22102
(703) 905-2000